

Remarks

Favorable reconsideration of this application, in view of the above amendments and in light of the following remarks and discussion, is respectfully requested.

Claims 1-4 and 9-12 are currently pending in the application; Claims 1-4 having been amended, Claims 5-8 having been canceled, and new Claims 9-12 having been added, by way of the present response. Applicants respectfully assert that support for the changes to the claims is self-evident from the originally filed disclosure, including the original claims, and that therefore no new matter has been added.

In the outstanding Office Action Claims 5 and 6 were objected to because of informalities, and Claims 1-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by German Publication No. 37 36 364 (the '364 publication).

As stated above Claims 5 and 6 were objected to because of informalities. In response, Applicants have canceled Claim 5 and 6. Thus, Applicants respectfully assert that the objection has been mooted.

As stated above Claims 1-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by the '364 publication. Applicants respectfully assert that the rejection has been overcome by the amendments to the claims for the following reasons.

The present invention is directed to a structure including first and second materials and a tapping screw. The first material includes a plate having a thickness of 1 millimeter or less, the plate having top and bottom surfaces. The top and bottom surfaces define a hole with a surface to be threaded therebetween and define a concave portion and a convex portion surrounding the hole and having diameters larger than the hole. The concave portion is defined in the top surface. The convex portion is defined in the bottom surface. The second material contacts the top surface of the first material such that a hole defined in the second material is aligned with the hole, the concave portion, and the convex portion in the first

material. The tapping screw is disposed through the holes, the concave portion, and the convex portion in the first and second materials to connect the first and second materials. A threaded portion of the tapping screw cooperates with a threaded surface of the first material that is tapped with the tapping screw, and a head of the tapping screw contacting the second material.

The '364 publication, as shown in Figure 1, appears to be directed to elements 3a and 6 connected via screws 9.

Applicants respectfully assert that the '364 publication does not teach, or render obvious, however, the claimed features of a head of a tapping screw contacting a second material, the second material contacting a top surface of a first material, the top surface of the first material defining a concave portion, and a bottom surface of the first material defining a convex portion, the concave and convex portions surrounding and having diameters larger than a hole, as recited in independent Claim 1. Rather, Applicants respectfully assert that even if Applicants agreed with the Office Action's assertions that the elements 3a and 6 are analogous to the claimed features of first and second materials recited in independent Claim 1,¹ which Applicants do not, the '364 publication does not show or state a surface of element 3a contacting the element 6. Further, Applicants respectfully assert that even if a combination of elements 3a and 5a were characterized as being analogous to the claimed features of the first material, the '364 publication still does not show or state a first material having a hole and a concave portion on a surface contacting a second material, and a threaded portion of the screw cooperating with a threaded surface of the hole that is tapped with the tapping screw, among other features.

Thus, Applicants respectfully request that the rejection of independent Claim 1 under 35 U.S.C. § 102(b) be withdrawn, and the allowance of independent Claim 1.

¹ Page 3, lines 1-4, of the outstanding Office Action.

Application No. 10/660,680
Reply to Office Action of June 30, 2004

Applicants respectfully assert that remaining Claims 2-4 are allowable for the same reasons as independent Claim 1, from which they depend, as well as for their numerous recited features that are not taught or suggested by the '364 publication. Thus, Applicants respectfully request the allowance of remaining dependent Claims 2-4.

Applicants respectfully assert that new independent Claim 9, as well as Claims 10-12 depending therefrom, are allowable for reasons similar to those of independent Claim 1. Thus, Applicants respectfully request the allowance of Claims 9-12.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-4 and 9-12 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

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(OSMMN 06/04)

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